[19th August 1955

Reappointment of Public Prosecutors

9-20 p.m. * 2128 Q.—SRI M. NARAYANA KURUP: Will the Hon. the Minister for Finance be pleased to state whether any and, if so, how many Public Prosecutors in the State have been re-appointed to their posts?

THE HON. SRI C. SUBRAMANIAM :—" Yes; six of the Public Prosecutors now in service have been re-appointed for the second term."

SRI M. NARAYANA KURUP :—" May I know in which places these re-appointments have been made?"

THE HON. SRI C. SUBRAMANIAM :—" North Arcot, South Arcot, Chingleput, Madurai, Tanjore East and Tanjore West."

SRI T. C. NARAYANAN NAMBIAR :—" Has any Public Prosecutor in Malabar been re-appointed after he has been defeated in the General Elections and if so, may I know whether it is the policy of this Government to re-appoint Public Prosecutors who have been defeated in the elections?"

THE HON. SRI C. SUBRAMANIAM :—" Of course, the hon. Member is entitled to insinuate anything and he knows that that cannot be a policy of any Government. But simply because a lawyer stands for election, he does not become disqualified for several offices to which he is entitled as a lawyer."

SRI S. PANCHAKSHARAM :—" In reply to a question, the Hon. Minister was pleased to state that a Public Prosecutor had been reappointed in North Arcot district. Sir, a new incumbent has been appointed as Public Prosecutor there and it is not a re-appointment. Therefore, I think it is a mistake on the part of the Hon. Minister to have said so. Or is it a recent appointment made in August?"

THE HON. SRI C. SUBRAMANIAM :—" In North Arcot only very recently another person has been appointed. Perhaps that is what the hon. Member is referring to."

SRI T. C. NARAYANAN NAMBIAR :—" Sir, there cannot be any bar for an advocate being appointed as Public Prosecutor. But may I know from the Hon. Minister whether the Public Prosecutors who have resigned for the purpose of contesting the elections are again appointed when they are defeated in the elections?"

THE HON. SRI C. SUBRAMANIAM :—" I would like to have notice. Even if such an appointment has taken place, as I have already explained, a defeat in the elections is not a disqualification for the appointment of a lawyer as Public Prosecutor."

19th August 1955]

Sri M. KALYANASUNDARAM :—" The Hon. Minister stated that there were only six cases of re-appointment. Are there any more Public Prosecutors who have been appointed as Special Public Prosecutors? "

The Hon. Sri C. SUBRAMANIAM :—" I would like to have notice."

Sri S. RAMALINGAM :—" ஐந்து, ஆறு இடங்களில் பப்ளிக் பிராஸிகியூடர் வேலை காலியிருக்கிறது என்று விளம்பரம் செய்து புதிய அப்ளிகேஷன்களை வரவழைத்துவிட்டு மீண்டும் பழைய பப்ளிக் பிராஸிகியூடர்களுக்கே அந்த வேலையைக் கொடுப்பதால் அந்த ஜில்லாக்களில் அவர்களைவிட திறமையான வக்கீல்கள் இல்லை என்று சர்க்கார் கருதுகிறதா? அதனால்தான் பழைய பப்ளிக் பிராஸிகியூடர்களையே மீண்டும் அவ்வேலையில் தொடர்ந்து அமர்த்துகிறார்களா? "

The Hon. Sri C. SUBRAMANIAM :—" Normally the policy of the Government is to appoint a person as Public Prosecutor for a second term if found suitable in all respects. That policy is well-known to every lawyer."

Sri M. NARAYANA KURUP :—" Probably the Hon. Minister is referring to permanent re-appointments. May I know whether there have been any temporary re-appointments of the old incumbents and whether the Public Prosecutor in Tellicherry has been temporarily re-appointed? "

The Hon. Sri C. SUBRAMANIAM :—" Either he is appointed as Public Prosecutor or he is not. In other cases Special Prosecutors are appointed for special cases. I do not know whether the hon. Member is referring to the appointment of Special Public Prosecutors with reference to specific cases, or the regular appointment as Public Prosecutors."

DEPUTY SPEAKER :—" Question Nos. 2129, 2132 and 2135 will be taken up on 20th August 1955 as the Hon. Minister concerned is away from headquarters."

Kist collections for poramboke lands

* 2130 *Q.*—Sri S. RAMALINGAM (on behalf of Sri C. Kandasamy) : Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether it is a fact that water-rate at the rate of Rs. 150 per acre is being ordered to be collected for 1955 kist collections for the poramboke lands cultivated by peasants in Tiruturaipundi taluk, Tanjore district; and

(*b*) if so, the reasons therefor?

The Hon. Sri M. A. MANICKAVELU :—" (*a*) & (*b*) Rule VI of the Cauvery Water-cess Rules requiring the levy of a penalty of Rs. 150 per acre for irrigation without permission was relaxed originally on the ground that the extent irrigated in the Cauvery-Mettur Project area in the Tanjore district